

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES AMERICA,  Plaintiff,  vs.  HERMAN E SIMMONS, ET AL.,  Defendants.	2:22-CV-11916-TGB  ORDER REQUIRING PARTIES TO SUBMIT A JOINT DISCOVERY PLAN PURSUANT TO FED. R. CIV. P. 26(f)
---	--

Counsel shall comply with Fed. R. Civ. Proc. Rule 26(f) and submit to the Court a joint discovery plan on or before **September 30, 2022**. In addition to the contents required under Rule 26(f), the joint discovery plan shall contain a case summary that:

- Summarizes the background of the action, the principal factual and legal issues for both sides, and the relief sought by the plaintiff(s);
- Outlines the proposed discovery and proposes an appropriate management plan, including a schedule setting discovery cut-off and trial dates; and
- Describes any outstanding or anticipated discovery disputes, the bases for any objections, and any anticipated motions, including dispositive motions;

The proposed discovery plan and case summary shall be filed with the Court.

The parties are directed to discuss the following during their discovery plan conference:

- i. The issues and narrowing the issues;
- ii. Subject matter jurisdiction;
- iii. Relationship to other cases;
- iv. Necessity of amendments to pleadings, additional parties, third-party complaints, etc.;
- v. Settlement, including alternative dispute resolution;
- vi. Progress of discovery (counsel are instructed to commence significant discovery prior to the conference);
- vii. Issues which may appropriately be resolved by motion; and
- viii. Estimated trial length.

Counsel are directed to discuss case evaluation (formerly “mediation”) with their clients, and the prospect of obtaining authority to stipulate to be bound by the provisions of Mich. Ct. R. 2.403, including the section dealing with sanctions.

DATED this 9th day of September, 2022.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge